REMARKS

Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claim Status

Claims 43, 45, 49, 51, 73, 74, 77, 77, 78, 81, 82, and 84-86 are presented for consideration, of which claims 43, 49, 73, 77, 84, and 85 are independent. As noted above, claims 43, 45, 49, 51, 73, 74, 77, 77, 78, 81, 82, and 84-86 were presented for consideration in the Preliminary Amendment filed April 2, 2008.

Double Patenting Rejection

Claims 43, 45, 49, 51, 73, 77, 84 and 85 were rejected for obviousness-type double patenting as being unpatentable over claims 1 and 5 of U.S. Patent No.7,253,911 (Aritomi) in view of U.S. Patent No. 5,481,353 (Hicks et al.). The rejection is respectfully traversed.

The double patenting rejection relies on an improper one-way obviousness analysis. Since the Aritomi patent is based on a commonly-assigned, but later-filed application, which matured into a patent before this application, as the result of administrative delay in the handling of the present application, a two-way test should have been used. See M.P.E.P. § 804 (B)(1)(b). Instead, the Office Action uses a one-way test. A proper analysis would ask whether the claims of Aritomi are patentably distinguishable from the claims pending in this application.

Further, significant differences exist between the claims of this application and the claims of <u>Aritomi</u> in view of the disclosure of <u>Hicks et al</u>. Neither the claims of <u>Aritomi</u> recite, nor does <u>Hicks et al.</u> teach or suggest, at least the feature of the print control command for enabling the printing apparatus to execute multiple printing operations with at least first and second formats from the single print data described in the print data part, as recited in independent claims 43, 49, 73, 77, 84, and 85. Finally, Applicants respectfully request that this rejection be held in abeyance until the claims have been deemed otherwise allowable. At that time, Applicants will consider filing a Terminal Disclaimer to obviate the rejection, if necessary.

<u>Art Rejections</u>

Claims 43, 45, 49, 51 73, 74, 77, 78, 81, 82 and 84-86 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,061,632 (<u>Livingston</u>) in view of U.S. Patent No. 5,481,353 (<u>Hicks et al.</u>). Applicants submit that the cited art does not teach or suggest many features of the present invention, as previously recited in these claims. Therefore, the rejection is respectfully traversed.

The present invention, as set forth in the independent claims, relates to various apparatuses, methods, and systems for processing a print job. The print job includes a command part and a print data part. The information set forth in the single print data described in the print data part may be outputted in a plurality of formats. As such, the load on the processing system is reduced.

The Office Action relies on <u>Livingston</u> to teach, *inter alia*, a print job that includes a command part, but recognizes that <u>Livingston</u> fails to teach of suggest a print-out format for single print data in a first mode, and a plurality of different print-out formats for single print data in a second mode. In particular, the Office Action cites <u>Livingston</u> as teaching that a plurality of different formats are to be printed for one piece of data. In the present invention only a single set of print data is utilized to produce print jobs in various different forms. According to <u>Livingston</u>, a different set of features can be set and printed for each page. <u>See</u> column 4, line 65 through column 5, line 4, of that patent. <u>Livingston</u> fails to teach, however, that different formats are produced from a single print data. While <u>Livingston</u> may teach the setting of different features, <u>Livingston</u> fails to teach the claimed structure of the command and data used to process the print jobs.

The Office Action relies on <u>Hicks et al.</u> to teach, *inter alia*, a print-out format for single print data in a first mode, and a plurality of different print-out formats for single print data in a second mode. In particular, the Office Action cites column 7, lines 23-32 of <u>Hicks et al.</u>, which teaches that four categories of output sheets may be created and that a user may determine the print order for all four categories. <u>Hicks et al.</u>, however, does not teach or suggest at least the feature of the print control command for enabling the printing apparatus to execute multiple printing operations with at least first and second formats from the single print data described in the print data part, as recited in independent claims 43, 49, 73, 77, 84, and 85.

<u>Hicks et al.</u> also does not teach how commands are generated, how commands are structured, or what data is used to execute commands. The present invention allows for a

plurality of formats to be processed while reducing user and system load. The amount of information to be transferred is reduced because only a single print command and a single print data need to be transferred, rather than a plurality of print data that is associated with specific print formats. Hicks et al. fails to teach which data is used to generate the plurality of print jobs and is also silent regarding form and structure of the command and data used to process the print jobs. Hicks et al. cannot, therefore, teach that a plurality of different print formats are executed from single print data for a print job produced in accordance with the setting in the second mode. Livingston also fails to teach that a plurality of different print formats is executed from single print data for a print job produced in accordance with the setting in the second mode. The cited art, therefore, fails to teach or suggest many of the features of invention, as set forth in the independent claims.

In view of the foregoing, Applicants submit that the present invention is patentably defined by independent Claims 43, 49, 73, 77, 84 and 85. Dependent Claims 45, 51, 74, 78, 81, 82 and 86 are also submitted to be patentable by virtue of their dependencies on an allowable claim, as well as for the additional features they recite. Individual consideration of these claims is respectfully requested.

Applicants submit that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the rejections set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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